

## AMENDMENT TO THE CLAIMS

Please amend claim 1 as shown below. Claims 2-21 are cancelled, and new claims 22-28 are set forth below. A complete listing of the claims that are, or were, in the instant application are presented as per the revised format permitted under the proposed waiver of 37 C.F.R. § 1.121 (a), (b), (c), and (d).

1. (Currently Amended) A plant promoter comprising (1) a minimal promoter comprising a TATA box and initiation site, (2) transcription-activating elements from a first promoter and (3) transcription-activating elements from a second promoter wherein said first promoter is a ferredoxin promoter and said second promoter is a RolD promoter.

2-21 (Cancelled).

22. (New) The plant promoter according to claim 1 wherein the minimal promoter ferredoxin minimal promoter.

23. (New) The plant promoter according to claim 1 wherein the ferredoxin promoter is an *Arabidopsis thaliana* ferredoxin promoter.

24. (New) The plant promoter according to claim 23 comprising SEQ ID NO:1 and SEQ ID NO:2.

25. (New) The plant promoter according to claim 23 comprising SEQ ID NO:3.

26. (New) A chimeric gene construct comprising the plant promoter of claim 1.

27. (New) The plant promoter according to claim 1 wherein the minimal promoter is a RolD minimal promoter.

28. (New) The plant promoter according to claim 1 wherein the RolD promoter is an *Agrobacterium rhizogenes* RolD promoter.